

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|---------------------------------------|---|------------------------|
| IRON WORKERS' MID-AMERICA |) | |
| PENSION PLAN, et al., |) | |
| |) | |
| Plaintiffs, |) | CIVIL ACTION |
| |) | |
| vs. |) | NO. 08 C 3102 |
| |) | |
| TRACHS CONTRACTING, LLC, |) | JUDGE RONALD A. GUZMAN |
| a Colorado limited liability company, |) | |
| |) | |
| Defendant. |) | |

MOTION FOR ENTRY OF DEFAULT AND JUDGMENT

NOW COME Plaintiffs, by their attorneys, and move for entry of judgment by default against Defendant, TRACHS CONTRACTING, LLC, a Colorado limited liability company, in the total amount of \$9,626.64, plus Plaintiffs' court costs and reasonable attorneys' fees in the amount of \$1,812.50.

On May 30, 2008, the Summons and Complaint was served on the Defendant's attorney, by mailing a copy of said documents and a Notice of Lawsuit and Request for Waiver of Summons and Waiver of Service of Summons, to him at his place of business. On June 6, 2008, the attorney executed and returned the Waiver of Service of Summons (a copy of the Summons and Affidavit of Service is attached hereto). Therefore, Defendant's answer was due on July 29, 2008. As Defendant has failed to timely answer the Complaint, Plaintiffs respectfully request entry of default and judgment.

/s/ Patrick N. Ryan

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that he electronically filed the foregoing document (Motion) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 22nd day of September 2008:

Mr. Morris G. Dyner
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/s/ Patrick N. Ryan

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